

Remarks

Claims 1-5 are pending in the case. Claim 1 has been amended and Claim 5 is new. Support for Claim 5 is found in paragraph [0032]. The Examiner rejected claims 1 to 4 under 35 U.S.C. §103(a) as being unpatentable over Kanji et al. (US 2002/0114773).

Notwithstanding the rejections which the Examiner has set forth previously, the Examiner also specified that Kanji et al “does not teach the weight ratio of two resins in a mixture is from 1:99 to 99:1, however a person of ordinary skill in the art would have mixed the resins within this ratio because the ratio simply teaches the presence of two resins in the composition.” Further, the Examiner stated that Kanji et al “does not teach the specific combination of the above resins in the resin composition, however a person of ordinary skill in the art would have been motivated to pick these two types of film-forming resins and combine them as part of the composition because they each bring different properties....” Although Applicants disagree with the Examiner’s statement with respect to a person skilled in the art, to further prosecution, applicants have amended Claim 1 to specify that the weight ratio of component A to B is from 90:10 to 10:90. Support for this amendment may be found in paragraph [0032] of the application where it describes the ratios can be from 99:1 to 1:99, alternatively 85:15 to 15:85.

As described by the Examiner, although Kanji et al allows for a mixture of resins, there is no teaching in Kanji relative to mixing certain weight ratios of different resins and also there is no teaching of mixing a certain weight ratio of a MQ resin with a silsesquioxane resin containing at least 40 mole % propyl groups. Applicants therefore respectfully submit that the claims as amended are not obvious over Kanji et al and request that they be allowed.

This reply is being submitted within the period for response to the outstanding office action. Although the applicants believe in good faith that no extensions of time are needed, the applicants hereby petition for any necessary extensions of time. You are authorized to charge deposit account 04-1520 for any fees necessary to maintain the pendency of this application. You are authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to deposit account 04-1520.

Respectfully Submitted,
Dow Corning Corporation

/Patricia M. Scaduto/
Patricia M. Scaduto
Reg. No. 39,827
Tel: 989-496-6925